

MINUTES

REGULAR MEETING – EDEN TOWN BOARD
2795 East Church Street
Eden, NY 14057
June 24, 2026 at 6:30 PM

This meeting was held in-person and virtually through GoToMeeting.com. The meeting link was made available to the public prior to the meeting.

TOWN BOARD MEMBERS PRESENT:

- RICHARD VENTRY - SUPERVISOR
- SUSAN WILHELM - COUNCILMEMBER
- VINCENT VACCO - COUNCILMEMBER (arrived at 7:00 PM)
- MICHAEL BYRNES - COUNCILMEMBER
- TIMOTHY WALKER - COUNCILMEMBER

OTHERS PRESENT:

- Emily Hawkins - Town Clerk
- Marlene Grunder - Administrative Assistant to the Supervisor
- Bridget O’Toole - Solar Counsel (virtual)

Pledge of Allegiance

Budget Transfers:

A2170 Community Development Income	A9950.9 Transfer Out	CDBG Funds	\$45,990.45
H7110.2 Swartz Park Project	H5031 Transfer In	Swartz Field Project - Sidewalk	\$48,411.00

A915.5 Assigned Rec to A9950.9 Transfer out to Capital for Town's Portion of CDBG Grant
\$2420.55

#136-2025: MOTION was made by Supervisor Ventry to approve the budget transfers as presented; seconded by Councilmember Wilhelm; Ayes: All; Opposed: None; Abstain: None; Motion carried.

Public Comment on Agenda Items Only:

Ari Goldberg Counsel from Barclay Damon spoke regarding the Weiss Farms zoning request and asked for a coordinated SEQR review to work alongside the town attorney and engineers to limit issues.

New and Unfinished Business:

1. Capital Voucher:

#137-2026: MOTION was made by Supervisor Ventry to approve capital voucher #4 for Swartz Field sidewalk project payable to L. Phillippi Inc. in the amount of \$48,411.00; seconded by Councilmember Wilhelm; Ayes: All; Opposed: None; Abstain: None; Motion carried.

2. SEQR Declaration for National Grid Substation:

RESOLUTION ADOPTING A SEQRA NEGATIVE DECLARATION FOR THE SPECIAL USE PERMIT AND SITE PLAN APPLICATION OF NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID FOR A NEW ELECTRIC SUBSTATION LOCATED AT 9733 GOWANDA STATE ROAD

WHEREAS, Niagara Mohawk Power Corporation d/b/a National Grid (the “Applicant”) has applied to the Town of Eden for special use permit approval and site plan approval for the construction of a new electric substation (the “Project”) located at 9733 Gowanda State Road, Town of Eden, Erie County, New York, also identified as Tax Map No. 253.00-1-9.121; and

WHEREAS, the Project has been classified as a Type I Action pursuant to the State Environmental Quality Review Act (“SEQRA”), Article 8 of the Environmental Conservation Law, and its implementing regulations at 6 NYCRR Part 617; and

WHEREAS, the Town Board of the Town of Eden (the “Town Board”) declared its intent to act as Lead Agency for the coordinated environmental review of the Project and circulated notice of such intent to all involved and interested agencies; and

WHEREAS, no involved agency objected to the Town Board acting as Lead Agency within the applicable comment period, and the Town Board thereupon assumed the role of Lead Agency for purposes of the SEQRA review of the Project; and

WHEREAS, the Town Board has reviewed the Full Environmental Assessment Form, including Parts 1, 2, and 3 thereof, and the Negative Declaration prepared in connection therewith, a copy of which is attached hereto as Exhibit A and incorporated herein by reference; and

WHEREAS, the Town Board, acting as Lead Agency, has considered the criteria for determining significance set forth at 6 NYCRR 617.7(c), has taken the requisite “hard look” at the relevant areas of environmental concern, and has made a reasoned elaboration of the basis for its determination, all as set forth in Exhibit A; and

WHEREAS, the Town Board has determined that the Project will not result in any significant adverse impacts on the environment;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Eden, acting in its capacity as Lead Agency under SEQRA, hereby adopts the Negative Declaration attached hereto as Exhibit A and incorporated herein by reference, and finds and determines that the Project will not have a significant adverse effect on the environment; and be it further

RESOLVED, that the Town Clerk is hereby authorized and directed to file the Negative Declaration in accordance with 6 NYCRR 617.12, including transmittal to all involved agencies and any other parties entitled to notice; and be it further

RESOLVED, that this Resolution shall take effect immediately.

**SEQR
Negative Declaration
NOTICE OF DETERMINATION OF NON-SIGNIFICANCE**

Lead Agency: Town of Eden
Town Board

Address: 2795 East Church Street
Eden, NY 14057
(716) 992-3576

Project: National Grid – Gowanda State Road
Substation

Date: June 24, 2026

This notice is issued pursuant to 6 NYCRR Part 617 and the Town of Eden's local SEQR implementing regulations, as amended, pertaining to Article 8 (State Environmental Quality Review) of the New York State Environmental Conservation Law (“SEQR” or “SEQRA”).

The Lead Agency has determined that the proposed action described below will not have a significant adverse effect on the environment.

Title of Action: Special Use Permit and Site Plan Approval

SEQR Status: Type I Action

Description of Action: See attachment “A”

Location: 9733 Gowanda State Road, Town of Eden, Erie County, New York (Tax Map No. 253.00-1-9.121)

Petitioner: Niagara Mohawk Power Corporation d/b/a National Grid

REASONS SUPPORTING THIS DETERMINATION

See attachment “A”

Negative Declaration – National Grid Gowanda State Road Substation
Attachment A

Attachment A of Part 3 of Full Environmental Assessment Form (FEAF)

PROJECT DESCRIPTION:

The Petitioner, Niagara Mohawk Power Corporation d/b/a National Grid (“National Grid” or the “Applicant”), is seeking special use permit approval and site plan approval from the Town of Eden for the construction of a new electric substation (the “Project”) located at 9733 Gowanda State Road (Tax Map No. 253.00-1-9.121) in the Town's Agricultural Priority (“AP”) zoning district (the “Project Site”). Public utility substations are a use subject to special use permit and site plan approval within the AP District.

The Project includes approximately four (4) acres of ground disturbance, the realignment of existing transmission lines, the installation of new sub-transmission connections, and the construction of two access driveways onto Gowanda State Road.

The Project Site was previously used for agricultural purposes and was created through a subdivision approved in May 2025. According to the Applicant, the Project is intended to provide increased electric grid capacity, reliability, and resiliency to the National Grid system, assuring the continued provision of essential utility services to the Town and surrounding service area.

No signage is proposed in connection with the Project other than safety and contact signage to be mounted on the substation's perimeter security fence; no separate Sign Permit is anticipated to be required. No on-site parking is required, and vehicular traffic to the Project Site will be limited to occasional visits by authorized National Grid personnel for maintenance and repair purposes. The substation is an unmanned facility that will operate on a continuous (24 hours per day, 7 days per week) basis.

Exterior lighting will consist of six (6) proposed Holophane Predator LED luminaires (or equivalent), mounted approximately 31 feet above grade (from top of concrete) and angled approximately 50 degrees from the ground plane, directed toward the interior of the substation yard. The nearest proposed light fixture will be located approximately 200± feet from the nearest occupied structure.

LEAD AGENCY DESIGNATION AND COORDINATED REVIEW:

The Town Board has completed a coordinated environmental review of the Project pursuant to SEQR and issued this Negative Declaration during its meeting held on June 24, 2026.

The Town Board (or its designee) issued a lead agency solicitation letter to the involved and interested agencies, including the New York State Department of Environmental Conservation (“NYSDEC”), the New York State Department of Transportation (“NYSDOT”) given the Project Site's frontage on Gowanda State Road, a state highway corridor, the Erie County Department of Public Works (“ECDPW”), and the Erie County Department of Environment and Planning (“ECDEP”).

The thirty (30) day comment period for involved agencies to object to the Town Board's request to act as Lead Agency has expired. None of the involved agencies objected to the Town Board's request to be the designated lead agency, and the Town Board thereafter assumed the role of lead agency for the coordinated environmental review of the Project.

The Project has been classified as a Type I action pursuant to 6 NYCRR Part 617 of SEQR, and has been the subject of a coordinated environmental review.

Within Part 2 of the Full Environmental Assessment Form, the Town Board, with the assistance of the Planning Board and the Town's Engineering Consultant, has determined that the potential environmental impacts associated with the Project are no more than small to moderate, and that none of the identified impacts will result in a potentially significant adverse environmental impact.

Reasoned Elaboration in Support of Issuance of a Negative Declaration:

Based on its evaluation of the criteria for determining significance listed in Section 617.7(c) of the SEQRA Regulations, the Town Board, acting in its capacity as Lead Agency, has determined that all identified areas of environmental concern have been thoroughly evaluated (the “hard look” requirement) and that the Project will not result in any potentially significant adverse impacts on the environment.

Criteria 1: A substantial adverse change in existing air quality, ground or surface water quality or quantity, traffic or noise levels; a substantial increase in solid waste production; a substantial increase in potential for erosion, flooding, leaching or drainage problems.

Traffic and Access: The substation is an unmanned facility that does not require on-site parking. The Applicant has represented that vehicular trips to the Project Site will be limited to occasional visits by authorized National Grid vehicles for maintenance and repair, and that no regular employee, customer, or visitor traffic will be generated. Two access driveways are proposed onto Gowanda State Road. Given the absence of regular traffic

generation, the Town Board finds that the Project will not result in a substantial adverse change in existing traffic levels.

Noise: Electrical equipment such as power transformers can generate a low-level operational hum. Based on the rural, agricultural character of the surrounding area and the substation's distance from occupied structures, the Town Board finds that the Project is not anticipated to result in a substantial adverse change in existing noise levels.

Drainage and Erosion Control: Because the Project will disturb approximately four (4) acres, which exceeds the one-acre threshold under the NYSDEC SPDES General Permit for Stormwater Discharges from Construction Activity (GP-0-20-001, or successor permit), the Project is subject to that permit and will require preparation and implementation of a Stormwater Pollution Prevention Plan (SWPPP) incorporating erosion and sediment control measures and, as applicable, post-construction stormwater management practices. Subject to compliance with the SWPPP and applicable NYSDEC permit conditions, the Town Board finds that the Project will not result in a substantial increase in the potential for erosion, flooding, leaching, or drainage problems.

Air Quality and Solid Waste: The Project does not involve any use that will generate substantial air emissions or solid waste. Temporary, localized fugitive dust and construction-related emissions may occur during the construction period but are not anticipated to be significant and will be addressed through standard construction best management practices.

Criteria 2: The removal or destruction of large quantities of vegetation or fauna; substantial interference with the movement of any resident or migratory fish or wildlife species; impacts on a significant habitat area; substantial adverse impacts on a threatened or endangered species of animal or plant, or the habitat of such a species; or other significant adverse impacts to natural resources.

The Project Site was previously used for agricultural purposes and does not contain mature woodlands. Based on the information currently available, the Project will result in the removal of agricultural vegetation/ground cover on approximately four acres, but this impact is localized and is not anticipated to result in any potentially significant adverse impact to vegetation, wildlife, or natural resources.

Criteria 3: The impairment of the environmental characteristics of a critical environmental area as designated pursuant to section 617.14(g) of this Part.

The Project Site is not located within a Critical Environmental Area designated pursuant to Section 617.14(g) of the SEQRA Regulations.

Criteria 4: The creation of a material conflict with a community's current plans or goals as officially approved or adopted.

Public utility substations are a use specifically contemplated and subject to special use permit approval within the Agricultural Priority District. The Town Board finds that the Project will not create a material conflict with the Town's current plans or goals as officially approved or adopted.

Criteria 5: The impairment of the character or quality of important historical, archeological, architectural, or aesthetic resources or of existing community or neighborhood character.

Historic and Archaeological Resources

The applicant has reached out to the New York State Office of Parks, Recreation and Historic Preservation and has received a letter of No Impact.

Visual and Community Character: The Project Site is located within an agricultural and rural residential area along Gowanda State Road. The substation will introduce a new utility use, including switching and transformer equipment, structures, and a security fence, on a site that is currently in agricultural use. The security fence will be black vinyl coated chain link to be less visible. The lighting proposed for the Project (six fixtures, mounted approximately 31 feet above grade and angled toward the interior of the substation yard) has been designed to direct illumination onto the substation yard and away from adjoining properties and the road corridor, minimizing off-site lighting impacts. The substation is an unmanned, low-profile utility use that is consistent with the pattern of utility infrastructure already present throughout the Town's agricultural and rural landscape. Based on the foregoing, the Town Board finds that the Project will not result in any potentially significant adverse impact on community character.

Criteria 6: A major change in the use of either the quantity or type of energy.

The purpose of the Project is to increase the capacity, reliability, and resiliency of the electric distribution/sub-transmission system serving the Town and surrounding area. The Project does not involve any use that will result in a substantial increase in energy consumption on the Project Site itself; rather, the Project supports the Town's existing and future electric service needs. The Town Board finds that this represents a beneficial, rather than adverse, change related to energy.

Criteria 7: The creation of a hazard to human health.

The substation will be designed, constructed, and operated in accordance with applicable National Electrical Safety Code requirements and New York State Department of Public Service/Public Service Commission standards applicable to electric utility facilities. The substation will be enclosed by a perimeter security fence to restrict public access, with safety and contact signage provided as described above. Based on the information available, the Town Board finds that the Project is not anticipated to create a significant hazard to human health.

Criteria 8: A substantial change in the use, or intensity of use, of land including agricultural, open space or recreational resources, or in its capacity to support existing uses.

The Project Site is located within the Agricultural Priority District and was previously used for agricultural purposes; it was created through a subdivision approved in May 2025. The Project will convert approximately four acres from agricultural use to a public utility use. The substation does not require connection to public water or sanitary sewer service. Given the relatively limited area of disturbance (approximately four acres) in the context of the surrounding agricultural district, and the public utility character of the use, the Town Board finds that the Project will not result in a substantial adverse change in the use or intensity of use of land.

Criteria 9: The encouraging or attracting of a large number of people to a place or places for more than a few days, compared to the number of people who would come to such place absent the action.

The Project is an unmanned electric substation that will not attract members of the public, employees, or visitors on a regular basis. The Town Board finds that the Project will not encourage or attract a large number of people to the Project Site.

Criteria 10: The creation of a material demand for other actions that would result in one of the above consequences.

The Project, including the associated realignment of existing transmission lines and installation of new sub-transmission connections, is being reviewed in its entirety as part of this action. The Town Board finds that the Project is not anticipated to create a material demand for other actions that would result in additional potential significant adverse environmental impacts, and that this review does not constitute improper segmentation of a larger project.

Criteria 11: Changes in two or more elements of the environment, no one of which has a significant impact on the environment, but when considered together result in a substantial adverse impact on the environment.

The elements of the environment discussed above have been reviewed both individually and cumulatively. Based on this review, the Town Board finds that the Project will not result in cumulative significant adverse environmental impacts.

#138-2026: MOTION was made by Councilmember Walker to approve the resolutions as presented; seconded by Councilmember Wilhelm; Ayes: All; Opposed: None; Abstain: None; Motion carried.

3. Weiss Farms – Zoning Request:

#139-2026: MOTION was made by Supervisor Ventry to refer for Zoning Amendment Petition for 7828 East Eden Road – Weiss Farms to the Planning Board; seconded by Councilmember Wilhelm; Ayes: All; Opposed: None; Abstain: None; Motion carried.

4. Social Media Policy:

Town of Eden Social Media Policy
Purpose

The Town of Eden recognizes the value of social media as an effective tool for communicating with residents, businesses, visitors, and other stakeholders. The purpose of this policy is to establish guidelines for the creation, administration, and use of official Town social media accounts to provide accurate, timely, and consistent information regarding Town services, programs, events, public safety, and municipal operations.

Scope

This policy applies to all Town departments, boards, committees, elected officials, employees, volunteers, and any individuals authorized to create, manage, contribute to, or post content on official Town social media accounts.

Official Town Social Media Accounts

The Town of Eden currently maintains the following official social media accounts:

- Town of Eden (Facebook)

- Town of Eden Police (Facebook)

These accounts are authorized communication platforms of the Town and are intended to provide information regarding Town government operations, services, public notices, events, and public safety matters.

No Person, Town department, board, committee, employee, elected official, volunteer or other person purporting to represent the Town shall create, operate, or represent any social media account as an official Town account without authorization from the Town Board.

All social media accounts, usernames, passwords, administrative credentials, associated email addresses, and posted content shall remain the property of the Town of Eden.

To ensure continuity of operations and retention of municipal records, a minimum of two Town officials designated by the Town Board shall maintain administrative access to each official social media account at all times. Administrative access credentials shall be securely maintained and transferred whenever personnel changes occur.

The Town Board may authorize additional social media accounts as necessary to support municipal operations and public communication.

Authorized Administrators

The Town Board shall designate one or more individuals to administer official Town social media accounts.

Authorized administrators shall:

- Ensure information posted is accurate, timely, and relevant.
- Maintain account security and access controls.
- Ensure compliance with this policy.
- Coordinate with Town departments when disseminating information related to Town operations and services.
- Promptly provide account access and credentials to designated Town officials upon request.

Appropriate Use

Official Town social media accounts may be used to:

- Share public notices and announcements.
- Promote Town programs, services, and events.
- Provide emergency notifications and public safety information.
- Share meeting schedules and government-related information.
- Disseminate information concerning Town projects, initiatives, and community activities.
- Provide information regarding police services, public safety, and community outreach activities.

Official Town social media accounts shall not be used for:

- Political campaign activities.
- Endorsement of political candidates, political parties, or ballot propositions.
- Personal opinions unrelated to Town business.
- Commercial advertising or private business promotion.
- Any purpose prohibited by local, state, or federal law.

Public Interaction

The Town of Eden's social media accounts are intended solely as informational communication tools.

Public comments, direct messaging, and other interactive features shall be disabled whenever permitted by the social media platform. The Town does not utilize social media platforms as public forums for discussion, debate, complaints, service requests, or the submission of official business.

Individuals wishing to contact the Town regarding services, concerns, requests, or public comments should do so through official communication channels, including telephone, email, mail, or attendance at public meetings.

The Town reserves the right to limit, disable, or restrict interactive features on its social media accounts as permitted by law and platform functionality.

Public Records Retention

Content posted to official Town social media accounts may constitute a public record and shall be retained in accordance with applicable New York State laws, records retention schedules, and records management requirements.

Administrators shall cooperate with records access requests, audits, and legal proceedings involving Town records.

Employee and Official Use

Town employees and elected officials may maintain personal social media accounts. However:

- Personal accounts shall not be represented as official Town accounts.
- Confidential or non-public Town information shall not be disclosed.
- Personal social media activity shall not interfere with official duties.
- Town resources shall not be used for personal political activity.
- Employees and officials shall comply with all applicable Town policies and standards of conduct.

Nothing in this policy is intended to restrict rights protected by law.

Emergency Communications

Official social media accounts may be used to distribute emergency notifications and public safety information.

Social media is intended to supplement, not replace, official emergency notification systems, emergency responders, or other official communication channels.

Residents should not use social media to report emergencies. Emergencies should be reported by calling 911.

Policy Administration

The Town Board reserves the right to create, modify, suspend, or discontinue any official social media account and to amend this policy as necessary to meet operational needs and comply with applicable laws.

#140-2026: MOTION was made by Supervisor Ventry to approve the Social Media Policy as presented; seconded by Councilmember Wilhelm; Ayes: All; Opposed: None; Abstain: None; Motion carried.

5. Set Public Hearing for Proposed Local Law for Solar Energy:

TOWN BOARD RESOLUTION

RESOLUTION INTRODUCING PROPOSED LOCAL LAW OF 2026 AMENDING CHAPTER 172 OF THE TOWN CODE REGARDING SOLAR ENERGY SYSTEMS AND THE ENERGY OVERLAY DISTRICT; ACCEPTING DRAFT LOCAL LAW, OVERLAY MAP, AND ENVIRONMENTAL ASSESSMENT FORM FOR REVIEW; AND SCHEDULING A PUBLIC HEARING

At a regular meeting of the Town Board of the Town of Eden, Erie County, New York, held on June 24, 2026.

WHEREAS, the Town Board of the Town of Eden has undertaken a review of Chapter 172 of the Town Code relating to Solar Energy Systems; and

WHEREAS, the Town Board has prepared a proposed local law, identified as Proposed Local Law No. ____ of 2026, to repeal and replace Chapter 172 of the Town Code concerning Solar Energy Systems, including revisions to regulations governing the siting, development, operation, and decommissioning of solar energy systems and the establishment of an Energy Overlay District; and

WHEREAS, the Town Board has also prepared a draft Energy Overlay District Map depicting the proposed boundaries of the Energy Overlay District; and

WHEREAS, a draft Full Environmental Assessment Form (“EAF”) Part 1 has been prepared in connection with the proposed local law and associated mapping action; and

WHEREAS, the Town Board desires to formally introduce the proposed local law and accept the draft local law, draft Energy Overlay District Map, and draft EAF for purposes of review, consideration, and public comment;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby introduces Proposed Local Law No. ____ of 2026 entitled: “A Local Law Repealing and Replacing Chapter 172 of the Town Code of the Town of Eden Entitled ‘Solar Energy Systems’ and Establishing an Energy Overlay District” attached hereto; and be it further

RESOLVED, that the Town Board hereby accepts the draft local law, draft Energy Overlay District Map, and draft Environmental Assessment Form Part 1 for purposes of referral, review, environmental review, and public consideration; and be it further

RESOLVED, that a public hearing on Proposed Local Law No. ____ of 2026 shall be held before the Town Board on August 12, 2026, at 6:30 p.m., or as soon thereafter as the matter may be heard, at the Town Hall, 2795 East Church Street, Eden, New York, at which time all interested persons shall be heard; and be it further

RESOLVED, that the Town Clerk is hereby authorized and directed to publish and post notice of said public hearing in accordance with the requirements of the Municipal Home Rule Law and any other applicable provisions of law; and be it further

RESOLVED, that copies of the proposed local law, draft Energy Overlay District Map, and draft Environmental Assessment Form shall be maintained by the Town Clerk and made available for public inspection during normal business hours and through any additional means deemed appropriate by the Town Clerk; and be it further

RESOLVED, that this Resolution shall take effect immediately.

#141-2026: MOTION was made by Councilmember Walker to approve the resolution and set the public hearing to August 12, 2026 at 6:30 PM as presented; seconded by Supervisor Ventry; Ayes: All; Opposed: None; Abstain: None; Motion carried.

6. SEQRA for Solar Energy Systems:

TOWN OF EDEN

TOWN BOARD RESOLUTION

RESOLUTION CLASSIFYING THE PROPOSED ADOPTION OF LOCAL LAW NO. ____ OF 2026 AND ESTABLISHMENT OF THE ENERGY OVERLAY DISTRICT AS A TYPE I ACTION UNDER SEQRA; DECLARING INTENT TO SERVE AS LEAD AGENCY; AND AUTHORIZING SEQRA COORDINATION

At a regular meeting of the Town Board of the Town of Eden, Erie County, New York, held on June 24, 2026.

WHEREAS, the Town Board of the Town of Eden is considering Proposed Local Law No. ____ of 2026, a local law amending Chapter 172 of the Town Code relating to Solar Energy Systems and establishing an Energy Overlay District; and

WHEREAS, the proposed action includes the adoption of amendments to the Town's zoning regulations and the adoption of an Energy Overlay District Map identifying lands within the proposed Energy Overlay District; and

WHEREAS, the Town Board is the agency principally responsible for the adoption of the proposed local law and associated zoning map amendment; and

WHEREAS, pursuant to the New York State Environmental Quality Review Act ("SEQRA"), Article 8 of the Environmental Conservation Law, and the implementing regulations set forth in 6 NYCRR Part 617, the Town Board has reviewed the nature and scope of the proposed action; and

WHEREAS, the proposed adoption of a zoning law amendment and zoning map amendment constitutes a Type I Action pursuant to 6 NYCRR § 617.4; and

WHEREAS, the Town Board desires to initiate coordinated environmental review of the proposed action and establish a lead agency for purposes of conducting the environmental review required by SEQRA;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby classifies the proposed adoption of Local Law No. ____ of 2026 and the associated Energy Overlay District Map as a Type I Action pursuant to SEQRA and its implementing regulations; and be it further

RESOLVED, that the Town Board hereby declares its intent to serve as Lead Agency for the coordinated environmental review of the proposed action pursuant to 6 NYCRR Part 617; and be it further

RESOLVED, that the Town Board hereby authorizes and directs the circulation of a Notice of Intent to Establish Lead Agency, together with the proposed local law, draft Energy Overlay District Map, Full Environmental Assessment Form Part 1, and any supporting materials, to all involved agencies and interested agencies identified during the SEQRA review process; and be it further

RESOLVED, that any involved agency objecting to the Town Board serving as Lead Agency shall submit such objection within the time period prescribed by SEQRA following receipt of the Notice of Intent to Establish Lead Agency; and be it further

RESOLVED, that if no objection is received from any involved agency within the applicable coordination period, the Town Board shall thereafter be deemed Lead Agency for purposes of conducting the coordinated environmental review of the proposed action; and be it further

RESOLVED, that the Town Supervisor, Town Clerk, Town Attorney, and such other Town officials, employees, consultants, and representatives as may be appropriate are hereby authorized and directed to take all actions necessary to complete SEQRA coordination, distribute materials, communicate with involved and interested agencies, receive and compile responses, and otherwise facilitate the environmental review process; and be it further

RESOLVED, that this Resolution shall take effect immediately.

#142-2026: MOTION was made by Supervisor Ventry to approve the resolution as presented; seconded by Councilmember Walker; Ayes: All; Opposed: None; Abstain: None; Motion carried.

7. Referral of Proposed Local Law for Solar Energy Systems and Energy Overlay:

TOWN OF EDEN

TOWN BOARD RESOLUTION

RESOLUTION AUTHORIZING REFERRAL OF PROPOSED LOCAL LAW NO. ____ OF 2026 AND THE ENERGY OVERLAY DISTRICT MAP TO THE ERIE COUNTY DEPARTMENT OF ENVIRONMENT AND PLANNING PURSUANT TO GENERAL MUNICIPAL LAW § 239-m

At a regular meeting of the Town Board of the Town of Eden, Erie County, New York, held on June 24, 2026.

WHEREAS, the Town Board of the Town of Eden is considering Proposed Local Law No. ____ of 2026, a local law amending Chapter 172 of the Town Code relating to Solar Energy Systems and establishing an Energy Overlay District; and

WHEREAS, the proposed action includes the adoption of amendments to the Town’s zoning regulations and the adoption of an Energy Overlay District Map identifying lands within the proposed Energy Overlay District; and

WHEREAS, the proposed local law and zoning map amendment constitute actions subject to review and referral pursuant to Article 12-B of the New York General Municipal Law, including General Municipal Law § 239-m; and

WHEREAS, Erie County has established procedures for municipal referrals requiring submission of the County’s current ZR1 Referral Form and a full statement of the proposed action through the County’s municipal referral process; and

WHEREAS, the Town Board desires to refer the proposed action to the Erie County Department of Environment and Planning for its review and recommendation pursuant to General Municipal Law § 239-m;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby authorizes and directs referral of Proposed Local Law No. ____ of 2026 and the proposed Energy Overlay District Map to the Erie County Department of Environment and Planning pursuant to General Municipal Law § 239-m; and be it further

RESOLVED, that the referral shall be submitted utilizing Erie County’s current ZR1 Site Plan or Zoning Referral Form and shall include a full statement of the proposed action and such supporting materials as may be required by Erie County’s municipal referral procedures; and be it further

RESOLVED, that the referral package shall include, at a minimum:

- 1. Proposed Local Law No. ____ of 2026;
- 2. Draft Energy Overlay District Map;
- 3. Full Environmental Assessment Form (Part 1);
- 4. Project description and supporting narrative;
- 5. Any maps, studies, exhibits, reports, or other documents deemed necessary or appropriate for County review; and
- 6. Any additional materials required by Erie County’s current referral procedures;

and be it further

RESOLVED, that the Town Supervisor, Town Clerk, Town Attorney, and such other Town officials, employees, consultants, and representatives as may be appropriate are hereby authorized and directed to prepare, execute, and transmit the referral materials and to take all actions necessary to complete the County referral process; and be it further

RESOLVED, that the Town Board shall not take final action on Proposed Local Law No. ____ of 2026 or the associated Energy Overlay District Map until the Erie County Department of Environment and Planning has issued its recommendation pursuant to General Municipal Law § 239-m or until the applicable statutory review period has expired without response; and be it further

RESOLVED, that upon receipt of the County’s recommendation, the Town Board shall consider such recommendation and proceed in accordance with the requirements of General Municipal Law § 239-m prior to taking final action on the proposed local law and map amendment; and be it further

#143-2026: MOTION was made by Councilmember Walker to approve the resolution as presented; seconded by Supervisor Ventry; Ayes: All; Opposed: None; Abstain: None; Motion carried.

Councilmember Vacco arrived at 7:00 PM.

Work Session

Discussion on changes in Building code for fence height recommendations and storage containers as permanent structures. Recommendations were being sent to the Planning Board for review.

Discusson on ebike usage in NYS and specifically at the Town Parks where they have become a danger or destructive. The Police will be following NYS Law to enforce ebike usage and some public education about ebike safety.

Supervisor’s Report

June 24, 2026

- July 14th, presentation at the Duffy Center at ICC Church Hall at 5:30 PM, Brownfield Opportunity Area grant for a community presentation on revitalization of areas in to town that apply. More information will be available soon.

Hearing of Visitors:

#144-2025: MOTION was made by Supervisor Ventry to adjourn the meeting; seconded by Councilmember Wilhelm; Ayes: All; Opposed: None; Abstain: None; Motion carried.

Adjourned: 7:45 PM

Respectfully submitted by,

Emily Hawkins, Town Clerk